GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

EFS&T Department - Diversion of 2.55 Ha of forest land in WLM, Proddatur Division for up-gradation of NH-67 from Km 589/000 to 641/000 i.e. from Mydukur to Dornala "T" junction to two lane with paved shoulders in the State of Andhra Pradesh under NHDP-IV, in favour of Executive Engineer (R&B), NH Division, Kadapa – Final (Stage-II) approval - Accorded.

ENVIRONEMNT, FORESTS, SCIENCE & TECHNOLOGY (Section-II) DEPARTMENT

G.O.MS.No. 48 **Dated: 05-08-2021.**

Read the following:-

1. From PCCF & HoFF, Lr.No.267/2017/FCA-3, Dt.3.10.2017.
2. State Govt. Lr No.4285/Section-II/2017, EFS&T(Sec.II) Dept., dated.2.11.2017.
3. From GoI, MoEF& CC, Lr.No.4-APB050/2018-CHN/1436, Dt.6.9.2018.
4. State Govt. Lr No.4285/Section-II/2017, EFS&T(Sec.II) Dept., dated.30.03.2021.
5. From GoI, MoEF& CC, IRO, Vijayawada, Lr.No.4-APB050/2018-CHN/39, Dt.02.07.2021.

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ORDER:

In the letter first read above, the Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, Guntur has submitted a proposal under Forest (Conservation) Act, 1980, for diversion of 2.55 Ha of forest land in WLM, Proddatur Division for up-gradation of NH-67 from Km 589/000 to 641/000 i.e. from Mydukur to Dornala "T" junction to two lane with paved shoulders in the State of Andhra Pradesh under NHDP-IV, in favour of Executive Engineer (R&B), NH Division, Kadapa, and requested to forward the proposal to Government of India, Ministry of Environment, Forests & Climate Change, Chennai for consideration.

2. In the letter 2nd read above, the proposal of the Principal Chief Conservator of Forests & Head of Forest Force, was sent to Government of India, Ministry of Environment & Forests, Regional Office, Chennai for their approval under Section-2 of Forest (Conservation) Act, 1980.

3. In the letter 3rd read above, the Government of India, Ministry of Environment & Forests, Regional Office, Chennai have accorded in-principle (Stage-I) approval under Section-2 of Forest (Conservation) Act,1980, for the proposal, subject to compliance of certain conditions stipulated therein. Accordingly, in the letter 4th read above, the State Government furnished compliance report on the conditions stipulated by the Government of India, Ministry of Environment & Forests, Regional Office, Chennai while according in-principle (Stage-I) approval.

4. In the letter 5th read above, the Government of India, Ministry of Environment, Forests & Climate Change, Integrated Regional Office, Vijayawada have accorded approval (Stage-II) under Section-2 of Forest (Conservation) Act, 1980, for diversion of 2.55 Ha of forest land in WLM, Proddatur Division for up-gradation of NH-67 from Km 589/000 to 641/000 i.e. from Mydukur to Dornala "T" junction to two lane with paved shoulders in the State of Andhra Pradesh under NHDP-IV, in favour of Executive Engineer (R&B), NH Division, Kadapa, subject to certain conditions stipulated therein.

5. After careful examination of the proposal, the Government hereby accord permission to the Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, for diversion of 2.55 Ha of forest land in WLM, Proddatur Division for up-gradation of NH-67 from Km 589/000 to 641/000 i.e. from Mydukur to Dornala "T" junction to two lane with paved shoulders in the State of Andhra Pradesh under NHDP-IV, in favour of Executive Engineer (R&B), NH Division, Kadapa, subject to the following conditions:-

i. Legal status of the diverted forest land shall remain unchanged;

ii. Demarcation of the proposed forest area shall be carried out by erecting 4 feet high cement concrete pillars duly numbered at an interval of 20 meters at the cost of User Agency;

iii. The State Forest Department shall carry out Compensatory Afforestation (CA) over 5.42 ha of degraded forest area in Compt No 75 in Kamalapuram Block-Ill RF, Kamalapuram Beat, Proddatur Range from_the amount which has already been realized from the user agency;

iv. The State Forest Department shall carry out Penal Compensatory Afforestation (PCA over an extent of **2.00 ha in Compt No 323, Gopavaram RF, Valleruvaripalli Beat, Badvel Range of Proddatur (WI) Division** from the amount which has already been realized from the user agency;

v. **The State Forest Department shall furnish the PCA scheme along with the map and DGPS co-ordinates of the degraded forest over an extent of 2 ha Comp No 323, Gopavaram RF, Valleruvaripalli Beat, Badvel Range of Proddatur (WI) Division identified for Penal CA (PCA) within three months from the date of issuing of Stage II approval;**

vi. **The State Forest Department shall initiate action on violations of FCA, 1980 as per the provisions under (iii) & (iv) of Section 3 (B) of the Ministry's guidelines dated 29.01.2018;**

vii. The State Forest Department shall inquire into violation committed by User Agency and initiate disciplinary action against the officials concerned. The State Government shall ensure that no such violation shall take place in future and shall send a communication / directive to all the Government agencies in this regard;

viii. Additional amount of the Net Present Value (NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future, shall be charged by the State Government from the user agency;

ix. Felling of trees on the forest land being diverted shall be kept to the bare minimum and the felling shall be carried out under the strict supervision of the State Forest Department;

x. The user agency shall construct retaining walls and check walls wherever required, in consultation with the DFO concerned, at the project cost;

xi. The construction of culverts/bridges, if any, over the natural streams/rivers/canals shall be done in such a manner that it does not hamper the natural course of water, does not give rise to water logging, and also does not hamper movement of wild animals;

xii. Roadside cuttings and fillings which require engineering support shall be provided as per the instructions of the DFO concerned so as to stabilize the soil;

xiii. The dug out material overburden shall be dumped outside the forest area. Storage of any material shall not be done in the forest area proposed for diversion;

xiv. The user agency shall arrange to raise strip plantation on either side of the road and also on the central verge at the project cost and maintain the same for 10 years or till the planted trees get established whichever is later;

xv. Speed breakers shall be provided on the road within the wildlife areas / Wildlife crossings and signage boards shall be provided at frequent intervals at the project cost;

xvi. The layout plan of the proposal shall not be changed without the prior approval of the Central Government;

xvii. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.

xviii. The user agency shall provide fire wood preferably alternate fuel to labourers working at the site to avoid tree felling;

xix. Disturbance shall be kept minimum by creating labour camps outside the forest area as far as possible and it shall be the responsibility of the user agency to ensure that the labourers & staff engaged in execution of work do not destruct nearby forest flora & fauna;

xx. The total forest area utilized for the project shall not exceed **2.55 ha** and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal. The user agency shall furnish an undertaking to this effect;

xxi. The forest land proposed for diversion shall under no circumstances be transferred or sublet to any other agency, department or person without prior approval of the Central Government;

xxii. The user agency and the State Government shall ensure compliance to provisions of all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project;

xxiii. Any other conditions that the Central Government or Regional Officer (Central) of Integrated Regional Office, Vijayawada may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, shall be complied by the user agency;

xxiv. The Progress of the Compensatory Afforestation as mentioned by the DFO, Proddatur (WL) Division in SI No 12 (v) (a) of part II i.e 225.315 ha of forest land and 1992.879 ha of non-forest land shall be monitored by the Circle Head and a copy of such monitoring report shall be forwarded to the Integrated Regional Office;

xxv. In the event of failure to comply with any of the above conditions the user agency is liable for penal action as per the provisions made in rules / guidelines framed under FCA, 1980.

6. The Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

VIJAY KUMAR GSRKR
SECRETARY TO GOVERNMENT

To
The Principal Chief Conservator of Forests & Head of Forest Force,
Andhra Pradesh, Guntur.

Copy to:
The Additional Principal Chief Conservator of Forests (Central)
Government of India, Ministry of Environment & Forests,
Regional Office, 1st and 2nd Floors,
Handloom Export promotion Council Building
34, Cathedral Garden Road, Nungambakkam, Chennai – 600034.

The Inspector General of Forests (Central)
Government of India, Ministry of Environment, Forests & Climate Change,
Integrated Regional Office, Vijayawada,
Camp Office:National Tiger Conservation Authority,
Regional Office (South Zone)
Bengaluru-560076.

The Executive Engineer (R&B), NH Division,
Rabindra Nagar, Kadapa – 516003.
SF/SC

// FORWARDED :: BY ORDER //

SECTION OFFICER